

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

CARLINE VILBON; and A.V., a minor child,
Petitioners,

v.

KEVIN AUCOIN, in his official capacity as Director
of the **RHODE ISLAND DEPARTMENT OF
CHILDREN, YOUTH, AND FAMILIES; et al.**,
Respondents

C.A. No. 1:21-cv-00267-MSM-LDA

MOTION TO DISMISS

For the reasons identified in its accompanying memorandum of law, Respondent State of Rhode Island moves to dismiss petitioner Carline Vilbon's Amended *Ex Parte* Petition for Writ of *Habeas Corpus* under 28 U.S.C. § 2254 (ECF 4).¹

Respectfully Submitted,

STATE OF RHODE ISLAND,
By:

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Justin Sullivan

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¹ In accordance with Rule 5(c) of the Rules Governing Section 2254 Cases in the United States District Courts, the Office of the Attorney General states that it does not possess any official transcripts of the 2021 state court proceedings in A.V.'s Family Court proceedings or of any hearings relating to his post-conviction relief applications.

CERTIFICATE OF SERVICE

I hereby certify that on Monday, October 04, 2021 I filed the within document via the ECF filing system and that a copy is available for viewing and downloading. I further certify that on Monday, October 04, 2021 I mailed a true and accurate copy of the within document via U.S. First Class mail, postage prepaid, to the following:

Carline Vilbon
74 Prince St.
Pawtucket, RI 02860

/s/Justin J. Sullivan